

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GABRIEL ECKARD,

Plaintiff,

Case No. C19-0834-RSL

V.

KELLY ROY,

Defendant.

ORDER DISMISSING CIVIL RIGHTS ACTION

The Court, having reviewed plaintiff's complaint, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, any objections thereto, and the remaining record, hereby finds and ORDERS as follows:

(1) The Report and Recommendation is approved and adopted;

(2) Plaintiff's complaint (Dkt. 5) and this action are DISMISSED without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief may be granted.

The Clerk shall count this dismissal as a strike under 28 U.S.C. § 1915(g); and

(3) The Clerk is directed to send copies of this Order to plaintiff and to the Honorable Mary Alice Theiler.

DATED this 11th day of October, 2019.

MS Casnik

Robert S. Lasnik
United States District Judge

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